

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 13, 1992
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:03 p.m. with no quorum present. A quorum was present at 2:07 p.m. with Deputy Mayor Roberts and Council Member McCarty not present. Deputy Mayor Roberts adjourned the meeting at 6:42 p.m. to meet in Closed Session at 9:15 a.m. on January 14, 1992 in the 12th Floor Conference Room to discuss pending litigation, significant exposure to litigation, a status report and a personnel matter.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Filner-present
Clerk-Abdelnour (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-not present
(3) Council Member Hartley-not present
(4) Council Member Stevens-not present
(5) Council Member Behr-not present
(6) Council Member Stallings-present

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- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Pastor Chuck Smith of the
Penasquitos Church of the Nazarene.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Ruth Demler thanked Council for placing Public Comment at
the beginning of the docket and for the emphasis on creating
new jobs. She requests Council make its influence known to
businesses to prevent unnecessary layoffs.

ITEM-PC-2:

Don Stillwell asked the City Attorney to oppose the ruling
on removal of crosses and separation of church and state
referencing the Constitution.

ITEM-PC-3:

Lincoln Pickard suggested a live radio broadcast of all
Council meetings to enable the public to better schedule its
time by not having to sit in the Chambers until an item
comes up.

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ITEM-PC-4:

Mel Shapiro thanked Council for placing Public Comment at the beginning of its docket and encouraged the Council Committees to follow this example.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A025-093.)

ITEM-30: (R-92-1058) ADOPTED AS RESOLUTION R-279263

In the matter of the XXVIII America's Cup; welcoming representatives of the Challenger of Record Committee and the America's Cup Organizing Committee; proclaiming 1992 to be the Year of the Cup in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A093-163.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-92-1026) RETURNED TO DISTRICT 5

Proclaiming 1992 to be "Standing Tall - Together Year" in San Diego; encouraging everyone to join in this nationwide event of healing and recognition for those who gave so much of themselves during the Vietnam era, and commending the organizers of this long overdue honor; and urging all veterans of the conflict to reunite with old comrades and savor the accolades, and give thanks for the spirit of unity, conciliation and freedom that consecrate this endeavor.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B051-053, B063-076.)

MOTION BY BEHR TO RETURN TO DISTRICT 5 AT THE REQUEST OF THE

INITIATING GROUP FOR MORE WORK ON THE RESOLUTION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: GRANTED HEARING, TO BE HELD FEBRUARY 4, 1992 AT
6:30 P.M. IN THE COUNCIL CHAMBERS

Matter of the request of San Diego Rescue Mission, Inc., by David L. Shepersky, for a hearing of an appeal from the decision of the Planning Commission in denying Conditional Use Permit CUP-91-0257 (Rachel Grosvenor Family Center) for a 130 bed residential care facility. The subject property is located at 939 South 16th Street within the Emergency Temporary Subdistrict "E" Zone of the Barrio Logan Community Plan area. The subject property is more particularly described as Lots 1 through 12 of Block 138 of a Subdivision of Pueblo Lot 1157, commonly known as Mannasse & Schiller's Addition, Map-209.
(CUP-91-0257. District-8.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CUP-91-0257

COUNCIL ACTION: (Tape location: A144-B014.)

Motion by Filner to deny the request for a hearing with direction to the City Manager to find a suitable site for this facility. Second by Stallings. Failed by the following vote: Yeas-3,5,6,8. Nays-1,2,4,7,M Not present-None.

MOTION BY WOLFSHEIMER TO GRANT THE REQUEST FOR A HEARING ON THE BASIS THAT THIS REPRESENTS AN ISSUE OF CITY-WIDE SIGNIFICANCE UNDER COUNCIL POLICY AND GUIDELINES. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY FILNER TO HOLD THE HEARING AT 6:30 P.M. TO ENABLE RESIDENTS IN THE AREA TO ATTEND. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Filner to hold the hearing in the community.
Second by Behr. Failed by the following vote: Yeas-1,5,6,8.
Nays-2,3,4,7,M. Not present-None.

MOTION BY ROBERTS TO HOLD THE HEARING IN THE COUNCIL
CHAMBERS. Second by Hartley. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-nay, Stallings-nay, McCarty-yea, Filner-nay, Mayor
O'Connor-yea.

ITEM-33: GRANTED HEARING, TO BE HELD JANUARY 28, 1992 AT
10:00 A.M.

Matter of the request of Don Hawthorne & Jim Siler, by
Michel Anderson, for a hearing of an appeal from the
decision of the Planning Commission in denying Coastal
Development and Conditional Use Permits CDP/CUP-91-0469,
proposing to replace a previously existing garage and guest
quarters with a new 792 square-foot, three car garage and a
714 square-foot guest quarters. The subject property totals
approximately 12,065 square-feet and is located at 927
Sunset Cliffs Boulevard, in Zone R1-5000, in the Peninsula
Community Plan area. The subject property is further
described as Lot 14 of Block "L" of Azure Vista, Map-1981.
(CDP/CUP-91-0469. District-2.)

A motion granting or denying the request for a hearing of
the appeal.

FILE LOCATION: PERM - CDP/CUP-91-0469

COUNCIL ACTION: (Tape location: B014-047.)

MOTION BY ROBERTS TO HOLD HEARING. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-92-87) INTRODUCED, TO BE ADOPTED JANUARY 27, 1992

Introduction of an Ordinance authorizing the execution of an
agreement with the San Diego Unified School District for the
construction, operation, maintenance and lease of turfed

field and recreation facilities at Angier Elementary School.
(Serra Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego and the San Diego Unified School District were approached some time ago by a coalition of local artists known as "Young At Art." This group proposed a development sited on a portion of the Angier Elementary School playground and accessible from the adjacent Cabrillo Heights Park. The improvements were to feature grassy areas containing an amphitheater, a sundial, and musical sculptures. The project was to be developed by a group that included the Navy, the American Landscape Association, the National Endowment for the Arts, and a local engineering firm. They intended to design and construct the project after permission to use the land is received from the School District and the City. The City will assume maintenance responsibility for the improvements following their completion. City and School District staff have met with representatives of Young At Art several times to discuss the design of the proposed improvements. The project must accommodate the School District's use of the playground area and meet City standards. The problems related to management of the construction effort were also discussed. This project is unique. The City and the School District are proposing to enter into a joint use agreement whereby a third party will be allowed to construct improvements on School District property after receiving a permit for those improvements from the City.

The Young At Art organization must prepare plans and specifications that meet the requirements of the City and the School District. These specifications will contain scheduling language to ensure construction does not adversely impact the school's use of the playground during the school year. The group will also provide the necessary bonding and insurance for the project.

NOTE: Six votes required. Pursuant to Section 99 of the City Charter, a noticed hearing is required for adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B077-095.)

CONSENT MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,

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Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-92-1027) ADOPTED AS RESOLUTION R-279264

Supporting the proposition that the federal courthouse, the Jacob Weinberger Federal Building, be used for the bankruptcy courts to help meet the growing needs of the San Diego federal judicial system; encouraging the General Services Administration to identify the necessary funding to allow the renovation to continue which will ultimately provide the impacted court system with a much needed facility. (District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-101: (R-92-1042) ADOPTED AS RESOLUTION R-279265

Declaring that the City Council pledges its cooperation with the U.S. EPA and Mexico's SEDUE in their efforts to protect the environmental integrity of the San Diego/Tijuana region; expressing the City's interest in exploring the creation of an urban development plan with the City of Tijuana in the spirit of binational cooperation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B148-284.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-102: (R-92-998) ADOPTED AS AMENDED AS RESOLUTION R-279266

Accepting the Biannual Equal Employment Opportunity Report from the Personnel Director, dated October 22, 1991, covering the period from December 7, 1990 to June 7, 1991, with the direction that Council personnel be added to future reports as a separate category.

(See Personnel Director Report dated 10/22/91.)

COMMITTEE ACTION: Reviewed by RULES on 11/6/91. Recommendation to accept the Personnel Director's Report, with the direction that Council personnel be added to future reports as a separate category. Districts 4, 7 and 8 voted yea. District 1 and Mayor not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B284-461.)

MOTION BY STEVENS TO ADOPT AS AMENDED TO INCLUDE THE FOLLOWING IN THE REPORT: 1) SHOW THE EMPLOYMENT WITH THE CITY OF SAN DIEGO FOR AFRICAN AMERICANS, HISPANICS, ASIANS, AMERICAN INDIANS, FILIPINOS AND WOMEN AND WHETHER OR NOT THE EMPLOYMENT WENT UP OR DOWN IN THE 10-YEAR PERIOD; 2) INCLUDE A BREAKDOWN ON PERCENTAGES EMPLOYED AND POSITIONS HELD FOR WOMEN EMPLOYEES; AND 3) INCLUDE A REPORT ON THE POPULATION FORECASTS FOR INCREASES IN THE ASIAN AMERICAN, FILIPINO AND PACIFIC ISLANDER CATEGORY. IDENTIFY WHAT THE PROBLEMS ARE TO DATE IN RECRUITING PEOPLE FOR POSITIONS WITH THE CITY AND WHAT ARE THE PROBLEMS FORESEEN IN ACHIEVING THOSE GOALS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-103: (R-92-1023) ADOPTED AS RESOLUTION R-279267

Authorizing the City Manager to direct the City Treasurer to accept credit card payments of City fees and billings, as authorized by State law.

CITY MANAGER SUPPORTING INFORMATION: As part of our ongoing effort to provide the citizens of San Diego with a high level of service, the City Manager would like to offer the option of

credit card payments for certain City services and billings. This would provide our customers with an additional option to paying by either check or cash. It is currently our intent to initiate the acceptance of credit cards at the City's golf courses (which attract many tourists) and at Mt. Hope Cemetery. We feel that providing this service at the cemetery would help ease the financial burden for those who are not prepared for this kind of major and unexpected expense. In the future, it would be our intent to look at additional locations where credit card usage would be in high demand, such as disposal sites and Treasurer's Collections. Each site would be considered and evaluated on a case by case basis to ensure that the benefits to both the citizen and the City outweigh the costs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-104:(R-92-798) ADOPTED AS RESOLUTION R-279268

Authorizing the City Manager to increase the compensation previously authorized for the provision of bond counsel services with Mudge Rose Guthrie Alexander and Ferdon for the Balboa Park/Mission Bay Park Capital Improvements, by Resolution RR-273592-1, to a total amount of \$50,929; authorizing the City Manager to increase the compensation previously authorized to Evensen Dodge, Inc./Charles A. Bell Securities by Resolution RR-273592-2, to a total of \$57,872; authorizing the City Auditor and Comptroller to expend an additional amount not to exceed \$48,486 from bond proceeds for the purpose of the additional compensation for bond counsel and financial advisory services.

CITY MANAGER SUPPORTING INFORMATION: In May, 1989, the City Council approved contracts with Mudge Rose Guthrie Alexander and Ferdon for provision of bond counsel services, and Evensen Dodge, Inc./Charles A. Bell Securities Corp. for provision of financial advisory services in connection with the Balboa Park/Mission Bay Park Capital Improvements program. Both contracts were

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negotiated with the assumption that debt would be issued in the Fall of 1989. Due to the complexity of the project, the consultants were required to perform additional research and attend additional meetings resulting in a July, 1991 Certificates of Participation issuance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-105: (R-92-1000) ADOPTED AS RESOLUTION R-279269

Approving the expenditure of an amount not to exceed \$3,000 from University Community FBA 79001 (CIP-53-041.0) for the acquisition and related costs of two drainage easements for the La Jolla Village Drive Widening Project. (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action requests the expenditure of funds in the amount of \$3,000 to acquire additional drainage easements necessary for the widening of La Jolla Village Drive. This phase of the project will expand two existing drainage easements required to support the newly widened road.

Aud. Cert. 9200465.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-106: (R-92-926) ADOPTED AS RESOLUTION R-279270

Prohibiting commercial vehicles with a gross vehicle weight rating of over 10,000 pounds from operating on Denver Street between Ingulf Street and Milton Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs. (Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Denver Street between Ingulf Street and Milton Street is a local residential street. This section of Denver Street runs parallel to Morena Boulevard, which is the preferred commercial route, and is only two blocks west of Denver Street. In addition, there is a school and a playground on Denver Street. Due to these existing conditions, a truck route prohibition of commercial vehicles with a gross vehicle weight rating over five tons is recommended in order to improve safety on this road. Trucks making local deliveries and providing service on Denver Street will still be permitted to use the roadway. This prohibition has been requested by 76 percent of the residents of Denver Street.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-107: (R-92-1029 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-279271

Authorizing the execution of an agreement with the YMCA of San Diego County, Inc. for after-school day camp programs in connection with the Neighborhood Pride and Protection Program; authorizing the expenditure of an amount not to exceed \$115,000 from Fund No. 100, Community Park & Recreation Division budget, for the agreement. (City Heights, Golden Hill, Linda Vista, Logan Heights, San Ysidro, and Skyline/Valencia Community Areas. (Districts-3, 4, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Park and Recreation Department is proposing to contract with the YMCA to operate youth after school day camp programs in six high crime communities within the City as part of the Neighborhood Pride and Protection Program. The YMCA's PRYDE Program format will be used in the implementation of this program. The PRYDE Program is designed to reach 'at risk' youth between the ages of 8 and 15 and features anti-drug/gang education as well as wholesome recreation activities. The PRYDE Program will be conducted out of four YMCA centers and outreach into the six communities; City Heights, Golden Hill, Logan Heights, Linda Vista, San Ysidro, and Skyline/Valencia. Approximately 50% of the program will be conducted on park or school grounds and the remainder at YMCA sites.

The program will include a camping component and follow-up with families. A minimum of 200 children and their families will be involved during the six month program which is scheduled to begin in mid-January. If funding is available in FY 93 and the program evaluation positive, the contract may be extended into the coming fiscal year.

Aud. Cert. 9200496.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: B462-498.)

MOTION BY McCARTY TO ADOPT AS AMENDED TO DIRECT THE CITY MANAGER TO RE-EVALUATE FUNDING ALTERNATIVES AT THE JEWISH COMMUNITY CENTER IN THE NEIGHBORHOOD PRIDE AND PROTECTION PROGRAM. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-92-1012) ADOPTED AS RESOLUTION R-279272

Authorizing the execution of an amendment to the agreement of January 28, 1991, with Nolte & Associates, Inc., for professional engineering services in connection with the Reclaimed Water Distribution Master Plan-Northern Service Area; authorizing the expenditure of an amount not to exceed \$112,560 from Clean Water Program Fund No. 41509,

CIP-75-901.2, for the purpose of providing funds for this amendment.

CITY MANAGER SUPPORTING INFORMATION: The Reclaimed Water Distribution Master Plan is currently in the Market Assessment Phase. To date the number of users identified in the Northern Services Area by the consultant, Nolte and Assoc., exceeds the number of users anticipated during the inception of the project. Below is a table showing the comparison of these numbers.

User Type	Initial Estimate	Identified	Increase
1 (Greater than 12 acre ft/yr)	30	319	289
1A (4-12 acre ft/yr)	not considered	400	400

The service area was also expanded to cover areas including East Camp Elliott, Sabre Springs, Carmel Mountain Ranch and Rancho Bernardo which were not comprehensively surveyed by the Poway Master Plan. This amendment will complete this expanded service area. The amendment will result in an increase to the contract amount of \$73,172 from \$527,337 to \$600,509. The emergence of new bills expanding reclaimed water use may create additional work in the future. This will necessitate an increase of contingency fund to \$60,051. The following is a list of specific task increases: Phase I Reclaimed Water Market Analysis - \$29,897; Phase II Reuse System Planning - \$20,838; Phase III Environmental Considerations - \$20,000; ODCs & Sub-Consultant Mark-up - \$1,437; Printing & Copy - \$1,000. The MBE/WBE target goal for this added effort is 7.6 percent and 16.5 percent respectively.

Aud. Cert. 9200468.
WU-CWP-92-073.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-109: (R-92-1053) ADOPTED AS RESOLUTION R-279273

Authorizing the execution of an agreement with Labor's

Community Service Agency, Inc. to operate the Home Security Rehabilitation Program designed to assist the low income population, primarily in the Mid-City area of San Diego; authorizing the expenditure of an amount not to exceed \$50,000 from Fund No. 18527, and the expenditure of an amount not to exceed \$100,000 from Fund No. 18523, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On May 28, 1991, the City Council authorized that \$50,000 of the 1991 Community Development Block Grant (CDBG) allocation be awarded to the Labor's Community Service Agency to provide a home security rehabilitation program for low income individuals residing primarily in the Mid-City area of San Diego. On November 28, 1991, the City Council authorized an additional \$100,000 from prior year CDBG funds for the same purpose and directed the City Manager to negotiate a one year agreement with Labor's Community Service Agency for this program. This program will provide services to 250 low income homeowners residing primarily in the Mid-City area of the City of San Diego. These services will consist of rehabilitation or renovation of windows and door frames in order to effectively install basic security devices such as dead bolt locks. Services also include the installation of outside lighting and the renovation of fencing. Labor's Community Service Agency will charge 20 percent of the allocation (\$30,000) for their overhead costs. \$120,000 of the allocation will therefore be for the direct cost of client services. The agency has agreed to reduce their rate for administrative overhead to 15 percent of any future contract amount.

Aud. Cert. 9200488.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-200: APPROVED, TO BE PLACED ON JUNE 1992 BALLOT

In the matter of the Independent Redistricting Commission.

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(See Request No. 3 in City Attorney Report dated 11/6/91 and pages 51-52 of the Charter Review Commission Final Report.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B498-C156.)

MOTION BY FILNER TO APPROVE AND PLACE ON THE JUNE, 1992 BALLOT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: REPORT ACCEPTED AS AMENDED

(Continued from the meeting of December 9, 1991, Item 200, at Councilmember Behr's request, for further review.)
A report from the City Manager/Planning Director, regarding the status of the community plan update process.
(See Planning Department Report P-91-393.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C233-D334.)

MOTION BY FILNER TO APPROVE THE CITY MANAGER'S RECOMMENDATION (REPORT NO. P-91-393) AS AMENDED TO SUBSTITUTE THE OTAY MESA UPDATE WITH THE TIJUANA RIVER VALLEY PLAN WITH DIRECTION TO THE MANAGER/PLANNING DIRECTOR TO ENSURE THAT THERE IS ADEQUATE STAFF IN FY 93-94 TO COMPLETE IMPLEMENTATION OF THE COMMUNITY PLAN UPDATES. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202:

(Continued from the meeting of December 9, 1991, Item S404, at the request of Councilmember Behr, for further review.)
Two actions relative to Carmel Mountain Ranch Unit No. 21, a 21-lot subdivision located southwesterly of Carmel Ridge Road and Highland Ranch Road: (Carmel Mountain Ranch

Community Area. District-5.)

Subitem-A: (R-92-895 Cor.Copy) ADOPTED AS RESOLUTION
R-279275

Authorizing the execution of a Subdivision Improvement
Agreement with Carmel Mountain Ranch, for the
installation and completion of public improvements.

Subitem-B: (R-92-894) ADOPTED AS RESOLUTION R-279276

Approving the final map.

FILE LOCATION: SUBD - Carmel Mountain Ranch Unit No. 21
CONTFY92-1

COUNCIL ACTION: (Tape location: C155-235.)

MOTION BY BEHR TO ADOPT WITH DIRECTION TO STAFF TO WORK WITH
THE DEVELOPER AND THE COMMUNITY ON A SOLUTION FOR THE LEFT
TURN MOVEMENT. Second by Stallings. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-203: (R-92-940) ADOPTED AS RESOLUTION R-279277

Directing the Planning Commission to conduct a hearing on
the expanded Baja-Mex Amendment in 1992, on a date at least
thirty days following the finalization of the related
environmental review document, according to Council Policy
600-35. (District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G008-013.)

MOTION BY FILNER TO ADOPT. Second by Hartley. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-204: (R-92-1024) TRAILED TO JANUARY 14, 1992,
10:00 A.M.

Approving the Planning Department's recommendation on the reconsideration of the Special Projects and Referrals as listed in Attachment 2 of Planning Department Report No. P-92-017, dated December 17, 1991.
(See Planning Department Report P-92-017.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G223-232.)

ITEM-205: (R-92-1037) ADOPTED AS RESOLUTION R-279278

Consideration of the following nominees for appointment by the Council to fill one vacancy on the City Employees' Retirement System Board of Administration, for a six-year term expiring on December 7, 1997:

(See memorandum from Mayor O'Connor dated 12/31/91; memorandum from Councilmember Hartley dated 12/23/91 with resume attached; and memorandum from George Stevens dated 12/23/91 with resume attached.)

NOMINEE	NOMINATED BY
Osborn L. Hurston	Councilmember McCarty
(Reappointment)	
Michael Ribant	Councilmember Hartley
Col. H.L. Maxwell	Councilmember Stevens

Today's action is adoption of a Resolution making one appointment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G014-217.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Hurston-7, Maxwell-2, Ribant-withdrawn.

MOTION BY McCARTY TO APPOINT OSBORN L. HURSTON TO FILL THE VACANCY ON THE CITY EMPLOYEES' RETIREMENT SYSTEM BOARD OF ADMINISTRATION. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

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Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-92-1035) ADOPTED AS RESOLUTION R-279279

Consideration of the following nominees for appointment to
the San Diego Convention Center Corporation Board of
Directors to fill two vacancies for three-year terms ending
December 1, 1994:

NOMINEE

NOMINATED BY

Mel Katz

Mayor O'Connor

(Reappointment)

Patricia McQuater

Councilmember Roberts

(Reappointment)

Reverend George Walker Smith Councilmember Stevens

(See Memorandum from Mayor O'Connor dated 12/20/91 with resume
attached; Memorandum from Councilmember Roberts dated 12/18/91
with resume attached; Memorandum from Councilmember Stevens dated
12/23/91 with resume attached.)

Today's action is adoption of a Resolution making two
appointments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D334-G004.)

The first ballot was taken, and Clerk Abdelnour announced
the tally for Round 1: Katz-8, McQuater-5, Walker Smith-4.

BY COMMON CONSENT KATZ AND McQUATER WERE APPOINTED TO THE
SAN DIEGO CONVENTION CENTER CORPORATION BOARD OF DIRECTORS.

ITEM-207: (R-92-1036) ADOPTED AS RESOLUTION R-279280

Council consideration of the following nominees for
appointment to the Southeast Economic Development
Corporation Board of Directors to fill two vacancies: one
three-year term expiring 5/25/94 and one unexpired term
ending 5/25/93:

(See memorandum from Mayor O'Connor dated 12/31/91;
memorandum from Councilmember Stevens dated 12/23/91 with

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resume attached; and memorandum from Councilmember Filner dated 12/30/91 with resume attached.)

NOMINEE

Josh VonWolfolk

Ruben D. Rodriguez

NOMINATED BY

Councilmember Stevens

Councilmember Filner

Today's action is adoption of a Resolution making two appointments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

MOTION BY WOLFSHEIMER TO APPOINT JOSH VONWOLFOLK TO A TERM EXPIRING MAY 25, 1993 AND RUBEN D. RODRIGUEZ TO A TERM EXPIRING MAY 25, 1994 TO FILL VACANCIES ON THE SOUTHEAST ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-208: (R-92-1043) ADOPTED AS RESOLUTION R-279281

Council confirmation of the appointment by the Mayor of Barbara Goltz to the Quality of Life Board, replacing Iris W. Engstrand, for a term ending March 1, 1993. (See memorandum from Mayor O'Connor dated 1/2/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-S400: (R-92-1054) ADOPTED AS RESOLUTION R-279282

Recognizing and commending the accomplishments of Nannette Strull and thanking her for all of her dedication and

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service to the people and the City of San
Diego.(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not
present.

* ITEM-S401: (R-92-750) ADOPTED AS RESOLUTION R-279283

A Resolution approved by the City Council in Closed Session
on Tuesday, November 4, 1991 by the following vote:
Wolfsheimer-not present; Roberts-yea; Hartley-yea; Pratt-not
present; Behr-yea; Henderson-yea; McCarty-yea; Filner-yea;
Mayor-yea. Authorizing the City Manager to pay the total
sum of \$68,500 in the settlement of each and every claim
against the City, its agents and employees, resulting from
reformation and declaratory relief (Superior Court Case No.
618973, Commercial Contractors, Inc. v. City of San Diego,
et al.); authorizing the City Auditor and Comptroller to
issue one check in the total amount of \$68,500 made payable
to Commercial Contractors, Inc. and William Miltner,
attorney of record, in full settlement of the lawsuit and
all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the
complete and final settlement of Commercial Contractor's Inc.
property damage claim as a result of the incident on December 11,
1989.
Aud. Cert. 9200494.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not
present.

* ITEM-S402: (R-92-1049) ADOPTED AS RESOLUTION R-279284

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$643,424 from FBA Fund No. 79002 to CIP-35-070.0, North City West (Carmel Valley) Library; authorizing the expenditure of an amount not to exceed \$1,378,424 from CIP-35-070.0, North City West (Carmel Valley) Library, for the purpose of providing funds to purchase library materials in an amount not to exceed \$600,000; to purchase library furnishings in an amount not to exceed \$250,000; preliminary engineering costs in an amount not to exceed \$118,000; and construction costs in an amount not to exceed \$410,424.

(Carmel Valley Community Area. District-1.

CITY MANAGER SUPPORTING INFORMATION: This action will authorize purchase of library materials and furnishings for the new 13,000 square foot branch library for Carmel Valley. Funds for land acquisition, design and construction as well as purchase of \$250,000 in library materials, were authorized by previous Council actions. This request allows the completion of materials purchasing, and the purchase of furnishings for this new branch library. This action will authorize the expenditure for preliminary engineering costs and approximately 20 percent of construction costs. Construction costs were originally to be advanced by private developer funding 100 percent; however, extreme financial difficulties have deleted one developer from the financing agreement. The 20 percent will be funded from the Facilities Benefit Assessment Fund.

Aud. Cert. 9200508.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-145.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403: (R-92-1056) TRAILED TO JANUARY 14, 1992,
10:00 A.M.

Directing the City Manager and the City Attorney to prepare the appropriate Ordinances and Resolutions as outlined in the Mayor's State of the City Address for Council consideration, as follows:

1. Amend the San Diego Municipal Code to suspend the collection of the Business Tax for those businesses with ten or more employees, with the intent that these businesses would only pay one-half of the taxes due for the 1992 Fiscal Year.
2. Amend the San Diego Municipal Code to delay the payment of Transient Occupancy Tax until June 30, 1992, in lieu of remitting the taxes to the City on a monthly basis as currently stipulated in the Code.
3. Request that MTDB work with the social service agencies to provide every recently unemployed San Diego resident a free bus pass and trolley pass for a six-month period.
4. Direct the City Manager to accelerate the construction of \$215 million of budgeted capital improvement projects.
5. Request the Port District to issue \$130 million in bonds utilizing a \$13 million surplus to begin construction projects for all of the Port cities.
6. Request the Port District to provide lease incentives to all Port manufacturing tenants who are willing to forgo job layoffs and plant transfers out of town.
7. Request the City Manager to adopt and implement most of the Economic Development Task Force Report recommendations with all deliberate speed.
8. Direct the City Manager to prepare a plan to expand the Police Reserve Force from 141 to 250.
9. Authorize the formation of a New Volunteer Corps.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B053-058.)

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MOTION BY McCARTY TO TRAIL TO JANUARY 14, 1992 AT 10:00 A.M.
Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-not present, Stallings-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-S404: (R-92-818) TRAILED TO JANUARY 14, 1992

(Continued from the meetings of November 25, 1991, Item S407
and January 6, 1992, Item 206; last continued at
Councilmember Behr's request, for further review.)

Approving in concept the draft Memorandum of Understanding
between the City of San Diego and the San Diego Unified
School District for potential future park and school
improvements in the Scripps Miramar Ranch Community Plan
Area; directing the City Manager and City Attorney to
continue to work with staff of the School District to
develop a final Memorandum of Understanding for proposed
Council approval.

(Scripps Miramar Ranch Community Area. District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G232-239.)

ITEM-S405: TRAILED TO JANUARY 14, 1992, 10:00 A.M.

(Continued from the meetings of November 12, 1991, Item
S413, November 25, 1991, Item 150, December 9, 1991, Item
150, and January 6, 1992, Item 170; last continued at
Councilmember Behr's request, for further review.)

In the matter of the City Council Committee System.
(See memorandum from Councilmember Wolfsheimer dated
11/11/91; and memorandum from Councilmember Behr dated
11/6/91.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G240-241.)

ITEM-S406: (O-92-78) INTRODUCED AND ADOPTED AS ORDINANCE
O-17731 (New Series)

(Continued from the meeting of January 7, 1992, Item 337, at the City Manager's request, for the first hearing to be held on 1/7/92.)

Introduction and adoption of an Ordinance amending Ordinance O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17667-1, as adopted and amended therein, by amending the personnel authorization of the Purchasing Department (0570) to exempt from the Classified Service a new Central Stores Program Manager position for the Central Stores Division(8100), Fund 50010; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: The proposed ordinance will create the position of Central Stores Manager and exempt this position from the Classified Service. The Civil Service Commission, in its advisory capacity, approved this recommendation on November 7, 1991. The Stores Manager will have full responsibility and accountability for the City's \$16.5 million Central Stores Program. This includes responsibility for gasoline, and materials stocked in storerooms operated by City departments other than the Purchasing Department. The position will provide service to all City departments, will prepare responses to audits of the stores program, and develop policies and procedures to eliminate or minimize future audit deficiencies. The Central Stores Manager will work directly with the County of San Diego in administering the joint City-County auction program for surplus property. The Manager will conduct sealed bid sales of surplus property, and negotiate prices for sales of surplus material to other governmental agencies, including agencies south of the border. Surplus City property sales yield annual net revenues of close to \$1,000,000. The Stores Manager will be a member of the Purchasing Department Management team with full operational responsibility for his/her division. This includes responsibility for developing and administering the Central Stores budget, shaping and ensuring compliance with policy, and dealing proactively with personnel issues.

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NOTE: The first public hearing was held on Tuesday, January 7, 1992, Item 201. Today's action is introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G241-270.)

MOTION BY McCARTY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 6:42 p.m in honor of the memory of Freda Nestor, John Weir, and Lydia Fountain.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G345-353).